

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

**CASE NO.:**

GAREY C. GOMEZ,

Plaintiff,

v.

GEORGIA BUYERS GROUP LLC,

Defendant.

**COMPLAINT FOR COPYRIGHT INFRINGEMENT**  
**(INJUNCTIVE RELIEF DEMANDED)**

Plaintiff GAREY C. GOMEZ by and through his undersigned counsel, brings this Complaint against Defendant GEORGIA BUYERS GROUP LLC for damages and injunctive relief, and in support thereof states as follows:

**SUMMARY OF THE ACTION**

1. Plaintiff GAREY C. GOMEZ (“Gomez”) brings this action for violations of exclusive rights under the Copyright Act, 17 U.S.C. § 106, to copy and distribute Gomez's original copyrighted Works of authorship.

2. Gomez is a professional photographer from Atlanta, Georgia who works with architects, interior designers, construction firms and homebuilders to

create beautiful portfolio imagery to showcase their work. He is a speaker and educator in the world of architectural photography, and was the 2019 PFRE Photographer of the Year. Gomez's photographs have been featured in ArchDaily, Architizer, Curbed, Dezeen, Dwell, Fine Homebuilding and The Architect's Newspaper. His specialties are aerial, architecture, commercial, construction, education architectural, healthcare architectural, interiors, real estate, residential and twilight photography.

3. Defendant GEORGIA BUYERS GROUP LLC (“GBG”) is a family-owned real estate and investment firm. GBG specializes in helping homeowners sell burdensome property by buying residential property “as-is”. At all times relevant herein, upon information and belief, GBG owned and operated the internet website located at the URL <https://www.gabuyersgroup.com> (the “Website”).

4. Gomez alleges that GBG copied Gomez's copyrighted Works from the internet in order to advertise, market and promote its business activities.

### **JURISDICTION AND VENUE**

5. This is an action arising under the Copyright Act, 17 U.S.C. § 501.

6. This Court has subject matter jurisdiction over these claims pursuant to 28 U.S.C. §§ 1331, 1338(a).

7. Defendant are subject to personal jurisdiction in Georgia.

8. Venue is proper in this district under 28 U.S.C. § 1391(b) and (c) and 1400(a) because the events giving rise to the claims occurred in this district, Defendant engaged in infringement in this district, Defendant resides in this district, and Defendant is subject to personal jurisdiction in this district.

### **DEFENDANT**

9. Georgia Buyers Group LLC is a Georgia Limited Liability Company, with its principal place of business at 1340 Center Drive, Suite 103, Dunwoody, GA 30338, and can be served by serving its Registered Agent, Shiran Perez, at the same address.

### **THE COPYRIGHTED WORKS AT ISSUE**

10. In 2019, Gomez created the photographic series entitled “20190718.158 Daniel Ave” which includes images 62, 64, 82, 112 and 114, one of which is shown below, and which are collectively referred to herein as the “Works.” Copies of the Works are attached hereto as **Exhibit 1**.



11. Gomez registered the Works with the Register of Copyrights on February 10, 2020, and was assigned registration number VA 2-198-151. The Certificate of Registration is attached hereto as **Exhibit 2**.

12. Gomez's Works are protected by copyright but are not otherwise confidential, proprietary, or trade secrets. The Works in perspective, orientation, positioning, lighting and other details are entirely original and creative. As such, the Works qualify as subject matter protectable under the Copyright Act.

13. At all relevant times Gomez was the owner of the copyrighted Works.

**INFRINGEMENT BY DEFENDANT**

14. GBG has never been licensed to use the Works for any purpose.

15. On a date after the Works were created, but prior to the filing of this action, GBG copied the Works.

16. On or about December 9, 2020, Gomez discovered the unauthorized use of his Works on GBG's Website on the "Our Projects" page.

17. GBG copied Gomez's copyrighted Works without Gomez's permission.

18. After GBG copied the Works, it made further copies and distributed the Works on the internet to promote the sale of goods and services as part of its real estate and investment business.

19. GBG committed copyright infringement of the Works as evidenced by the documents attached hereto as **Exhibit 3**.

20. Gomez never gave GBG permission or authority to copy, distribute or display the Works at issue in this case.

21. Gomez notified GBG of the allegations set forth herein on December 12, 2020, and January 08, 2021. To date, GBG has failed to respond to Plaintiff's Notices.

**COUNT I**  
**COPYRIGHT INFRINGEMENT**

22. Gomez incorporates the allegations of paragraphs 1 through 21 of this Complaint as if fully set forth herein.

23. Gomez owns valid copyrights in the Works.

24. Gomez registered the Works with the Register of Copyrights pursuant to 17 U.S.C. § 411(a).

25. GBG copied, displayed, and distributed the Works and made derivatives of the Works without Gomez's authorization in violation of 17 U.S.C. § 501.

26. GBG performed the acts alleged in the course and scope of its business activities.

27. GBG's acts were willful.

28. Gomez has been damaged.

29. The harm caused to Gomez has been irreparable.

WHEREFORE, Plaintiff Garey C. Gomez prays for judgment against Defendant Georgia Buyers Group LLC that:

a. Defendant and its officers, agents, servants, employees, affiliated entities, and all of those in active concert with them, be

preliminarily and permanently enjoined from committing the acts alleged herein in violation of 17 U.S.C. § 501;

b. Defendant be required to pay Plaintiff his actual damages and GBG's profits attributable to the infringement, or, at Plaintiff's election, statutory damages, as provided in 17 U.S.C. § 504;

c. Plaintiff be awarded his attorneys' fees and costs of suit under the applicable statutes sued upon;

d. Plaintiff be awarded pre- and post-judgment interest; and

e. Plaintiff be awarded such other and further relief as the Court deems just and proper.

### **JURY DEMAND**

Plaintiff hereby demands a trial by jury of all issues so triable.

DATED: December 6, 2023

Respectfully submitted,

/s/Evan A. Andersen

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*Counsel for Plaintiff Garey C. Gomez*



**CERTIFICATE OF COMPLIANCE WITH LOCAL RULE 5.1.C**

Counsel for GAREY C. GOMEZ hereby certifies that this pleading was prepared in Times New Roman font, 14 point, in compliance with Local Rule 5.1.C.

DATED: December 6, 2023

Respectfully submitted,

/s/Evan A. Andersen

EVAN A. ANDERSEN